

## THE GOVERNMENT WANTS REHEARING

Of Cases Involving Construction Of President's Philippine Tariff Order of July 12, 1898.

### PETITION U. S. SUPREME COURT

Atty.-Gen. Moody Criticizes the Reasoning of Justice Holmes, Disagreeing With Him.

Washington, May 17.—A petition of the government for a rehearing in the cases of the United States vs. Peabody & Co. and the United States vs. Warner, Barnes & Co., involving the construction of the president's Philippine tariff order of July 12, 1898, was submitted to the supreme court of the United States today. The petition was presented by Solicitor-General, Hoyt, and was supported in a brief by Atty.-Gen. Moody.

The case was decided a few weeks ago adversely to the contentions of the United States, and the decision was accepted by the government as calculated to impose no considerable burden on the treasury. The attorney-general concedes his statement as follows:

"The reason for the importance to the government of the ground on which this case is to be decided, if it must be decided in favor of the complainants, is that there are, doubtless, claims amounting to more than \$1,000,000, on which suit was brought before July 1, 1898, the date of the ratifying act, but on which suits have been and will be brought in view of the present decision of the court. For these reasons, we think it of the utmost importance to the government that an opportunity should be given for a rehearing, in which the question of construction and ratification may be given a much fuller consideration, in view of all of the history of this legislation, than as it is respectfully submitted, it has heretofore had."

In his petition Mr. Hoyt recalls the fact that the decision was based upon the 14 diamond rings case, but contends that the cases are fundamentally different. The court held that the president's order expired by its own terms when the war with Spain came to an end, but the solicitor-general says:

"It is difficult to see why, because the exercise of the war power was initiated under a foreign war, it ceases at the end of that war, and is not extended into a much more serious war, simply because the territory was domestic. To entertain this view, it seems to me, is to disregard the doctrine laid down in the civil war cases, which uniformly sustain the exercise of executive power for which the government contends in dealing with an insurrectionary war in domestic territory."

"The president consciously and intentionally imposed the order on the war, and was not misled into unknowingly giving an authority in blank. There cannot be the slightest doubt about this. The commanding general and the subordinate officers acted at all times in strict accordance with the executive orders."

The court's inquiry, says Mr. Hoyt, was not exhaustive, and the attorney of the case rests upon the intention of Congress in ratifying the acts done in

## The Perfume of Japan

Is brought right to your table in every cup of



Its glorious aroma and delicious flavor is unequalled. Ask for the package with the tree tea on it.

Imported and packed only by M. J. BRANDENSTEIN & CO. SAN FRANCISCO.

the Philippines. The government is convinced, he says, that Congress intended to ratify all that was done by the executive authorities in the Philippines. After extending this argument at some length by way of giving reasons for the rehearing, Mr. Hoyt concluded:

"Without magnifying the case, it is possible, I think, that while the opinion of the court strikes down only the tariff on merchandise from the United States, the legality of the entire structure of civil government after the ratification of the treaty is involved, and may be decided hereafter relative to other features not now presented or foreseen, if the court adheres unqualifiedly to the logic of its opinion."

"The court would not regard as controlling either the large amount of money involved or the fact that the claimants added the duties to the price of their goods. But it is worth while to point out (as accentuating the great importance of this case) that the refunds called for under the decision of the act of 1898 had the sum of \$2,000,000, and that this vast sum will be paid, in large part, to claimants, many of them aliens, who, as public records show, were, on the whole, opposing rather than supporting the authority of the United States."

In his brief, Atty. Gen. Moody reviews the conditions existing when the order was issued, and he deals in detail with the effect of the order and the amendments to it, showing that under these orders duties were levied on all goods going into the Philippines from the United States. Dismissing Justice Holmes' decision as to whether the act of 1898 had the effect of ratifying the collection of tariff under the president's order, the attorney general says:

"It is difficult to follow the reasoning of the learned justice. The section approves 'The actions of the government of the Philippine Islands,' taken in accordance with the provisions of the act of 1898, and subsequent amendments. He says 'That the approval of the action of the authorities is confined to those which were in accordance with the order which, as we have already intimated, the collection of these duties was not.'"

"With deference the approval is not confined to those actions in accordance with the order, but is expressly and exactly sustained the exercise of executive power for which the government contends in dealing with an insurrectionary war in domestic territory."

"The president consciously and intentionally imposed the order on the war, and was not misled into unknowingly giving an authority in blank. There cannot be the slightest doubt about this. The commanding general and the subordinate officers acted at all times in strict accordance with the executive orders."

The court's inquiry, says Mr. Hoyt, was not exhaustive, and the attorney of the case rests upon the intention of Congress in ratifying the acts done in

the Philippines. The government is convinced, he says, that Congress intended to ratify all that was done by the executive authorities in the Philippines. After extending this argument at some length by way of giving reasons for the rehearing, Mr. Hoyt concluded:

"Without magnifying the case, it is possible, I think, that while the opinion of the court strikes down only the tariff on merchandise from the United States, the legality of the entire structure of civil government after the ratification of the treaty is involved, and may be decided hereafter relative to other features not now presented or foreseen, if the court adheres unqualifiedly to the logic of its opinion."

"The court would not regard as controlling either the large amount of money involved or the fact that the claimants added the duties to the price of their goods. But it is worth while to point out (as accentuating the great importance of this case) that the refunds called for under the decision of the act of 1898 had the sum of \$2,000,000, and that this vast sum will be paid, in large part, to claimants, many of them aliens, who, as public records show, were, on the whole, opposing rather than supporting the authority of the United States."

In his brief, Atty. Gen. Moody reviews the conditions existing when the order was issued, and he deals in detail with the effect of the order and the amendments to it, showing that under these orders duties were levied on all goods going into the Philippines from the United States. Dismissing Justice Holmes' decision as to whether the act of 1898 had the effect of ratifying the collection of tariff under the president's order, the attorney general says:

"It is difficult to follow the reasoning of the learned justice. The section approves 'The actions of the government of the Philippine Islands,' taken in accordance with the provisions of the act of 1898, and subsequent amendments. He says 'That the approval of the action of the authorities is confined to those which were in accordance with the order which, as we have already intimated, the collection of these duties was not.'"

"With deference the approval is not confined to those actions in accordance with the order, but is expressly and exactly sustained the exercise of executive power for which the government contends in dealing with an insurrectionary war in domestic territory."

"The president consciously and intentionally imposed the order on the war, and was not misled into unknowingly giving an authority in blank. There cannot be the slightest doubt about this. The commanding general and the subordinate officers acted at all times in strict accordance with the executive orders."

The court's inquiry, says Mr. Hoyt, was not exhaustive, and the attorney of the case rests upon the intention of Congress in ratifying the acts done in

the Philippines. The government is convinced, he says, that Congress intended to ratify all that was done by the executive authorities in the Philippines. After extending this argument at some length by way of giving reasons for the rehearing, Mr. Hoyt concluded:

"Without magnifying the case, it is possible, I think, that while the opinion of the court strikes down only the tariff on merchandise from the United States, the legality of the entire structure of civil government after the ratification of the treaty is involved, and may be decided hereafter relative to other features not now presented or foreseen, if the court adheres unqualifiedly to the logic of its opinion."

"The court would not regard as controlling either the large amount of money involved or the fact that the claimants added the duties to the price of their goods. But it is worth while to point out (as accentuating the great importance of this case) that the refunds called for under the decision of the act of 1898 had the sum of \$2,000,000, and that this vast sum will be paid, in large part, to claimants, many of them aliens, who, as public records show, were, on the whole, opposing rather than supporting the authority of the United States."

In his brief, Atty. Gen. Moody reviews the conditions existing when the order was issued, and he deals in detail with the effect of the order and the amendments to it, showing that under these orders duties were levied on all goods going into the Philippines from the United States. Dismissing Justice Holmes' decision as to whether the act of 1898 had the effect of ratifying the collection of tariff under the president's order, the attorney general says:

"It is difficult to follow the reasoning of the learned justice. The section approves 'The actions of the government of the Philippine Islands,' taken in accordance with the provisions of the act of 1898, and subsequent amendments. He says 'That the approval of the action of the authorities is confined to those which were in accordance with the order which, as we have already intimated, the collection of these duties was not.'"

"With deference the approval is not confined to those actions in accordance with the order, but is expressly and exactly sustained the exercise of executive power for which the government contends in dealing with an insurrectionary war in domestic territory."

## ROJESTVENSKY CUTS COMMUNICATIONS

Now on Final Stage of Journey to His Goal, Either Togo or Vladivostok.

### FIGHT MAY OCCUR ANY TIME.

On Military Side Indications Are for Another Great Battle Very Soon.

St. Petersburg, May 18, 2:40 a. m.—With a suspicious stoppage of dispatches from Manchuria and a strong possibility that Vice Admiral Rojestvensky has cut his last communications with home and set forth on the final stage of his journey to his goal, either Togo or Vladivostok, keen interest is manifested in naval and military circles here on the two-fold field of war.

Through the admiralty, which has been completely silent since the advent of Rojestvensky in the China sea, publishes no dispatches, the conviction is growing that the united squadrons, as indicated by the Associated Press on May 15, departed from the Amami Islands immediately after their junction, and naval officers are anxiously expecting news of the first skirmishes between scouts of the hostile fleets.

Capt. Clado confirmed the statement of the admiralty that the fleet to be sent to sea, he said it was entirely possible for Vice Admiral Rojestvensky to put the last finishing touches to the vessels of his division during the mysterious interval when they were lost to sight before passing the straits of Malacca.

Neither the admiralty nor individual officers have any information regarding the rumored request of Vice Admiral Rojestvensky to be relieved, and all who were questioned regarding the report expressed doubts of its accuracy. It was pointed out that it would be entirely impracticable for the fleet to delay in the China sea until the arrival of Vice Admiral Birell, and it was declared that Rojestvensky will keep his fleet further north for the time being, and will not naturally devolve on Vice Admiral Voelkersman, who is known as an officer with a "Toucan" thoroughness and attention to the details of his profession. He is also a notable strategist and theoretician.

The Associated Press was informed late last night that Vice Admiral Birell will be sent to Vladivostok, which possibly accounts for the origin of the rumor of Rojestvensky's request to be relieved of his command.

On the military side the indications are that events are rapidly shaping for the preliminary stage of another great battle. The Russian army has been reformed and is ready for action, and it is asserted that Gen. Linovitch is not the man to waste days in inaction. A further mobilization of cavalry in one or two districts was ordered today, but no large draft is required, as reinforcements for the cavalry arm are at hand in the recently embolled Cossacks, whose departure for Manchuria was postponed in anticipation of May day troubles, the most of whom can now resume the trip eastward. A small but important detachment will leave St. Petersburg today to join Gen. Linovitch's army.

RUSSIAN SCENES IN MANCHURIA. Gen. Ku's Headquarters, May 14, 3 p. m. (via Pusan).—The railway has been completed and is in operation, and as the railway, temporary bridges replacing those that were destroyed. Work is being rapidly pushed north of Tieling and material for permanent bridges is arriving from Japan. Thousands of junks are carrying supplies on the Lia river, between Newchwang and Tieling.

ROJESTVENSKY'S HEALTH. St. Petersburg, May 17.—Very disquieting reports are in circulation this evening about Vice Admiral Rojestvensky's health. It is said that he has telegraphed to the emperor that it is impossible for him to proceed. An evening paper prints a report that the admiral suffers from a nervous breakdown.

No official confirmation of the report that Rojestvensky has requested to be relieved from duty is obtainable at the admiralty. Nevertheless, the admiral's health has been the cause of considerable anxiety here. It is well known that he suffered from kidney trouble before leaving Cronstadt, and throughout the long voyage to the east he suffered at times to such an extent that he had to be carried about on a stretcher.

But the Russian commander stuck bravely to his post. If he is now compelled, on the eve of a battle, to give up his command, the admiralty would regard it as little short of a national misfortune. Rojestvensky has proved to be a genuine and confident leader, and it is felt that he would show equal ability as a fighter. Should Rojestvensky be compelled to leave the fleet, the command would devolve on Rear Admiral Voelkersman, who is now with Rojestvensky.

DISREGARDED NEUTRALITY. Saigon, Cochinchina, May 17.—Admiral de Jonquieres, the French naval commander at Saigon, who has been cruising along the Annam coast on the cruiser Guichen, returned here today. According to the reports gathered concerning the Russian fleet Admiral Rojestvensky showed absolute disregard of the discussions on the subject of neutrality.

The Russian commander proceeded as if his position gave him complete independence. He declared that he acted on his own judgment and said that, including the fact that he had no iron discipline, it is added, was maintained on board the Russian warships.

NAVAL ACTION EXPECTED. Tokyo, May 18, Noon.—The reported departure of Vice Admiral Rojestvensky from Honkoku bay northward renews the popular expectation of a naval action in the near future. It is believed that Admiral Rojestvensky, having filled his coal bunkers, and supplied his fleet is now in a condition to assume the aggressive, if he so desires. It is the opinion of some of the Japanese naval experts that a demonstration in the vicinity of the islands of Formosa, and the Pescadores and then enter the Pacific en route for Vladivostok. This, however, is purely speculative. Everything depends upon Admiral Rojestvensky's plans which, while as yet undisclosed, may include an extended stay in southern waters.

It is reported that the contractors who supplied the coal and provisions to Admiral Rojestvensky in Indochina waters, approached the French colonial officials prior to the arrival of the Russian fleet, and arranged a rendezvous at Kamranh and Honkoku bays. Confirmation of this report is, however, not obtainable.

JUNCTION OF FLEETS MADE. Saigon, May 18.—A junction was effected May 8 by the squadrons of Vice Admiral Rojestvensky and Rear Admiral Nebogatoff. It took place outside territorial waters.

The vessels started seaward May 14, going in an easterly direction.

TEA The American trade is not very prosperous; so much trash.

Your pocket returns your money if you don't like Billings' tea.

GARDNER DAILY STORE NEWS

Thin underwear is the first step to comfort as the sultry days approach.

Taking the past few days as an indication,

'Tis time to take that step now.

We can give it to you as thin as you like

And as good as it is thin, 50c to \$10 the suit.

All of the good light weight kinds.

ONE PRICE. J. P. GARDNER 136-138 MAIN ST. THE QUALITY STORE.

## ROJESTVENSKY CUTS COMMUNICATIONS

Now on Final Stage of Journey to His Goal, Either Togo or Vladivostok.

### FIGHT MAY OCCUR ANY TIME.

On Military Side Indications Are for Another Great Battle Very Soon.

St. Petersburg, May 18, 2:40 a. m.—With a suspicious stoppage of dispatches from Manchuria and a strong possibility that Vice Admiral Rojestvensky has cut his last communications with home and set forth on the final stage of his journey to his goal, either Togo or Vladivostok, keen interest is manifested in naval and military circles here on the two-fold field of war.

Through the admiralty, which has been completely silent since the advent of Rojestvensky in the China sea, publishes no dispatches, the conviction is growing that the united squadrons, as indicated by the Associated Press on May 15, departed from the Amami Islands immediately after their junction, and naval officers are anxiously expecting news of the first skirmishes between scouts of the hostile fleets.

Capt. Clado confirmed the statement of the admiralty that the fleet to be sent to sea, he said it was entirely possible for Vice Admiral Rojestvensky to put the last finishing touches to the vessels of his division during the mysterious interval when they were lost to sight before passing the straits of Malacca.

Neither the admiralty nor individual officers have any information regarding the rumored request of Vice Admiral Rojestvensky to be relieved, and all who were questioned regarding the report expressed doubts of its accuracy. It was pointed out that it would be entirely impracticable for the fleet to delay in the China sea until the arrival of Vice Admiral Birell, and it was declared that Rojestvensky will keep his fleet further north for the time being, and will not naturally devolve on Vice Admiral Voelkersman, who is known as an officer with a "Toucan" thoroughness and attention to the details of his profession. He is also a notable strategist and theoretician.

The Associated Press was informed late last night that Vice Admiral Birell will be sent to Vladivostok, which possibly accounts for the origin of the rumor of Rojestvensky's request to be relieved of his command.

On the military side the indications are that events are rapidly shaping for the preliminary stage of another great battle. The Russian army has been reformed and is ready for action, and it is asserted that Gen. Linovitch is not the man to waste days in inaction. A further mobilization of cavalry in one or two districts was ordered today, but no large draft is required, as reinforcements for the cavalry arm are at hand in the recently embolled Cossacks, whose departure for Manchuria was postponed in anticipation of May day troubles, the most of whom can now resume the trip eastward. A small but important detachment will leave St. Petersburg today to join Gen. Linovitch's army.

RUSSIAN SCENES IN MANCHURIA. Gen. Ku's Headquarters, May 14, 3 p. m. (via Pusan).—The railway has been completed and is in operation, and as the railway, temporary bridges replacing those that were destroyed. Work is being rapidly pushed north of Tieling and material for permanent bridges is arriving from Japan. Thousands of junks are carrying supplies on the Lia river, between Newchwang and Tieling.

ROJESTVENSKY'S HEALTH. St. Petersburg, May 17.—Very disquieting reports are in circulation this evening about Vice Admiral Rojestvensky's health. It is said that he has telegraphed to the emperor that it is impossible for him to proceed. An evening paper prints a report that the admiral suffers from a nervous breakdown.

No official confirmation of the report that Rojestvensky has requested to be relieved from duty is obtainable at the admiralty. Nevertheless, the admiral's health has been the cause of considerable anxiety here. It is well known that he suffered from kidney trouble before leaving Cronstadt, and throughout the long voyage to the east he suffered at times to such an extent that he had to be carried about on a stretcher.

But the Russian commander stuck bravely to his post. If he is now compelled, on the eve of a battle, to give up his command, the admiralty would regard it as little short of a national misfortune. Rojestvensky has proved to be a genuine and confident leader, and it is felt that he would show equal ability as a fighter. Should Rojestvensky be compelled to leave the fleet, the command would devolve on Rear Admiral Voelkersman, who is now with Rojestvensky.

DISREGARDED NEUTRALITY. Saigon, Cochinchina, May 17.—Admiral de Jonquieres, the French naval commander at Saigon, who has been cruising along the Annam coast on the cruiser Guichen, returned here today. According to the reports gathered concerning the Russian fleet Admiral Rojestvensky showed absolute disregard of the discussions on the subject of neutrality.

The Russian commander proceeded as if his position gave him complete independence. He declared that he acted on his own judgment and said that, including the fact that he had no iron discipline, it is added, was maintained on board the Russian warships.

NAVAL ACTION EXPECTED. Tokyo, May 18, Noon.—The reported departure of Vice Admiral Rojestvensky from Honkoku bay northward renews the popular expectation of a naval action in the near future. It is believed that Admiral Rojestvensky, having filled his coal bunkers, and supplied his fleet is now in a condition to assume the aggressive, if he so desires. It is the opinion of some of the Japanese naval experts that a demonstration in the vicinity of the islands of Formosa, and the Pescadores and then enter the Pacific en route for Vladivostok. This, however, is purely speculative. Everything depends upon Admiral Rojestvensky's plans which, while as yet undisclosed, may include an extended stay in southern waters.

It is reported that the contractors who supplied the coal and provisions to Admiral Rojestvensky in Indochina waters, approached the French colonial officials prior to the arrival of the Russian fleet, and arranged a rendezvous at Kamranh and Honkoku bays. Confirmation of this report is, however, not obtainable.

JUNCTION OF FLEETS MADE. Saigon, May 18.—A junction was effected May 8 by the squadrons of Vice Admiral Rojestvensky and Rear Admiral Nebogatoff. It took place outside territorial waters.

The vessels started seaward May 14, going in an easterly direction.

TEA The American trade is not very prosperous; so much trash.

Your pocket returns your money if you don't like Billings' tea.

GARDNER DAILY STORE NEWS

Thin underwear is the first step to comfort as the sultry days approach.

Taking the past few days as an indication,

'Tis time to take that step now.

We can give it to you as thin as you like

And as good as it is thin, 50c to \$10 the suit.

All of the good light weight kinds.

ONE PRICE. J. P. GARDNER 136-138 MAIN ST. THE QUALITY STORE.

## ROJESTVENSKY CUTS COMMUNICATIONS

Now on Final Stage of Journey to His Goal, Either Togo or Vladivostok.

### FIGHT MAY OCCUR ANY TIME.

On Military Side Indications Are for Another Great Battle Very Soon.

St. Petersburg, May 18, 2:40 a. m.—With a suspicious stoppage of dispatches from Manchuria and a strong possibility that Vice Admiral Rojestvensky has cut his last communications with home and set forth on the final stage of his journey to his goal, either Togo or Vladivostok, keen interest is manifested in naval and military circles here on the two-fold field of war.

Through the admiralty, which has been completely silent since the advent of Rojestvensky in the China sea, publishes no dispatches, the conviction is growing that the united squadrons, as indicated by the Associated Press on May 15, departed from the Amami Islands immediately after their junction, and naval officers are anxiously expecting news of the first skirmishes between scouts of the hostile fleets.

Capt. Clado confirmed the statement of the admiralty that the fleet to be sent to sea, he said it was entirely possible for Vice Admiral Rojestvensky to put the last finishing touches to the vessels of his division during the mysterious interval when they were lost to sight before passing the straits of Malacca.

Neither the admiralty nor individual officers have any information regarding the rumored request of Vice Admiral Rojestvensky to be relieved, and all who were questioned regarding the report expressed doubts of its accuracy. It was pointed out that it would be entirely impracticable for the fleet to delay in the China sea until the arrival of Vice Admiral Birell, and it was declared that Rojestvensky will keep his fleet further north for the time being, and will not naturally devolve on Vice Admiral Voelkersman, who is known as an officer with a "Toucan" thoroughness and attention to the details of his profession. He is also a notable strategist and theoretician.

The Associated Press was informed late last night that Vice Admiral Birell will be sent to Vladivostok, which possibly accounts for the origin of the rumor of Rojestvensky's request to be relieved of his command.

On the military side the indications are that events are rapidly shaping for the preliminary stage of another great battle. The Russian army has been reformed and is ready for action, and it is asserted that Gen. Linovitch is not the man to waste days in inaction. A further mobilization of cavalry in one or two districts was ordered today, but no large draft is required, as reinforcements for the cavalry arm are at hand in the recently embolled Cossacks, whose departure for Manchuria was postponed in anticipation of May day troubles, the most of whom can now resume the trip eastward. A small but important detachment will leave St. Petersburg today to join Gen. Linovitch's army.

RUSSIAN SCENES IN MANCHURIA. Gen. Ku's Headquarters, May 14, 3 p. m. (via Pusan).—The railway has been completed and is in operation, and as the railway, temporary bridges replacing those that were destroyed. Work is being rapidly pushed north of Tieling and material for permanent bridges is arriving from Japan. Thousands of junks are carrying supplies on the Lia river, between Newchwang and Tieling.

ROJESTVENSKY'S HEALTH. St. Petersburg, May 17.—Very disquieting reports are in circulation this evening about Vice Admiral Rojestvensky's health. It is said that he has telegraphed to the emperor that it is impossible for him to proceed. An evening paper prints a report that the admiral suffers from a nervous breakdown.

No official confirmation of the report that Rojestvensky has requested to be relieved from duty is obtainable at the admiralty. Nevertheless, the admiral's health has been the cause of considerable anxiety here. It is well known that he suffered from kidney trouble before leaving Cronstadt, and throughout the long voyage to the east he suffered at times to such an extent that he had to be carried about on a stretcher.

But the Russian commander stuck bravely to his post. If he is now compelled, on the eve of a battle, to give up his command, the admiralty would regard it as little short of a national misfortune. Rojestvensky has proved to be a genuine and confident leader, and it is felt that he would show equal ability as a fighter. Should Rojestvensky be compelled to leave the fleet, the command would devolve on Rear Admiral Voelkersman, who is now with Rojestvensky.

DISREGARDED NEUTRALITY. Saigon, Cochinchina, May 17.—Admiral de Jonquieres, the French naval commander at Saigon, who has been cruising along the Annam coast on the cruiser Guichen, returned here today. According to the reports gathered concerning the Russian fleet Admiral Rojestvensky showed absolute disregard of the discussions on the subject of neutrality.

The Russian commander proceeded as if his position gave him complete independence. He declared that he acted on his own judgment and said that, including the fact that he had no iron discipline, it is added, was maintained on board the Russian warships.

NAVAL ACTION EXPECTED. Tokyo, May 18, Noon.—The reported departure of Vice Admiral Rojestvensky from Honkoku bay northward renews the popular expectation of a naval action in the near future. It is believed that Admiral Rojestvensky, having filled his coal bunkers, and supplied his fleet is now in a condition to assume the aggressive, if he so desires. It is the opinion of some of the Japanese naval experts that a demonstration in the vicinity of the islands of Formosa, and the Pescadores and then enter the Pacific en route for Vladivostok. This, however, is purely speculative. Everything depends upon Admiral Rojestvensky's plans which, while as yet undisclosed, may include an extended stay in southern waters.

It is reported that the contractors who supplied the coal and provisions to Admiral Rojestvensky in Indochina waters, approached the French colonial officials prior to the arrival of the Russian fleet, and arranged a rendezvous at Kamranh and Honkoku bays. Confirmation of this report is, however, not obtainable.

JUNCTION OF FLEETS MADE. Saigon, May 18.—A junction was effected May 8 by the squadrons of Vice Admiral Rojestvensky and Rear Admiral Nebogatoff. It took place outside territorial waters.

The vessels started seaward May 14, going in an easterly direction.

TEA The American trade is not very prosperous; so much trash.

Your pocket returns your money if you don't like Billings' tea.

GARDNER DAILY STORE NEWS

Thin underwear is the first step to comfort as the sultry days approach.

Taking the past few days as an indication,

'Tis time to take that step now.

We can give it to you as thin as you like

And as good as it is thin, 50c to \$10 the suit.

All of the good light weight kinds.

ONE PRICE. J. P. GARDNER 136-138 MAIN ST. THE QUALITY STORE.

## MORO OUTLAW PALA.

He Has Been Killed and Troops Trail His Followers.

Manila, May 18.—News has been received that Pala, the outlaw Moro chief, who has been pursued the past two weeks on the island of Jolo by troops under the command of Gen. Leonard Wood has been killed. His few surviving followers are being trailed by the troops. At the beginning of the uprising Pala was reported to have a following of 400 well armed men, most of whom have been killed.

### Joe Jefferson's Birthplace Sold.

Philadelphia, May 18.—Joseph Jefferson's birthplace has been sold at auction for \$8,125. It is a three and one-half stories stone building at the south-west corner of Fifth and Spruce streets. Some years ago a plan was formed to purchase the property and hold it as a Jefferson museum but the idea was dropped.

## AT CONEY ISLAND.

Censorship Established Over Exhibition of Freaks.

New York, May 18.—For the first time in the history of Coney Island a censorship has been established over the exhibition of freaks and amusements there. An employee of the Brooklyn license bureau will exercise this function. He has already withheld permission from the managers of several monster shows which he declared to be revolting.

## The Best Hot Weather Medicine

SALE TEN MILLION BOXES A YEAR



CANDY CATHARTIC THEY WORK